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**SUBSTITUTE SENATE BILL 6506**

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**State of Washington**

**60th Legislature**

**2008 Regular Session**

**By** Senate Health & Long-Term Care (originally sponsored by Senators Marr, Kastama, and Parlette)

READ FIRST TIME 02/08/08.

1       AN ACT Relating to establishing a medical quality assurance  
2 commission pilot project; amending RCW 18.71.0191 and 43.70.240; and  
3 adding a new section to chapter 18.71 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5       NEW SECTION. **Sec. 1.** A new section is added to chapter 18.71 RCW  
6 to read as follows:

7       (1) The commission shall conduct a medical quality assurance  
8 commission pilot project to evaluate the effect of granting the  
9 commission additional authority over budget development, spending, and  
10 staffing. The pilot project shall begin July 1, 2008, and conclude  
11 June 30, 2011.

12       (2) The pilot project shall include the following provisions:

13       (a) That the secretary shall employ an executive director who is  
14 approved by the commission and exempt from the provisions of the civil  
15 service law, chapter 41.06 RCW, and serves at the pleasure of the  
16 commission;

17       (b) That the executive director performs all administrative duties  
18 of the commission, including managing employees assigned by the

1 secretary to the commission, preparing an annual budget, and any other  
2 duties delegated to the executive director by the commission;

3 (c) That the secretary shall employ and assign investigators with  
4 medical expertise, as required to enable the commission to accomplish  
5 its duties and responsibilities. The secretary shall consult with the  
6 executive director when making primary staffing assignments on a long-  
7 term basis to foster the development and maintenance of staff  
8 expertise. To ensure continuity and best practices, the secretary  
9 shall regularly evaluate staff assignments and workload distribution;

10 (d) Consistent with the budget and accounting act:

11 (i) With regard to budget for the remainder of the 2007-2009  
12 biennium, the commission has authority to spend the funds allotted with  
13 respect to its professions, physicians regulated under this chapter,  
14 and physician assistants regulated under chapter 18.71A RCW; and

15 (ii) Beginning with the 2009-2011 biennium, the commission is  
16 responsible for proposing its own biennial budget which the secretary  
17 must submit to the office of financial management;

18 (e) That, prior to adopting credentialing fees under RCW 43.70.250,  
19 the secretary shall consult with the commission to determine the  
20 appropriate fees for the individual professions, consistent with RCW  
21 43.70.250;

22 (f) That the commission shall annually negotiate with the secretary  
23 to develop performance-based expectations, including identification of  
24 key performance measures. The performance expectations should focus on  
25 consistent, timely regulation of health care professionals.

26 (3) By December 15, 2012, the secretary and the commission shall  
27 report to the governor and the legislature on the results of the pilot  
28 project. The report shall:

29 (a) Compare the effectiveness of licensing and disciplinary  
30 activities of the commission during the pilot project with the  
31 licensing and disciplinary activities of the commission prior to the  
32 pilot project;

33 (b) Compare the effectiveness of licensing and disciplinary  
34 activities of the commission during the pilot project with the  
35 disciplinary activities of other disciplining authorities during the  
36 same time period as the pilot project;

37 (c) Compare the efficiency of the commission with respect to the  
38 timeliness and personnel resources during the pilot project to the

1 efficiency of the commission prior to the pilot project and the  
2 efficiency of other disciplining authorities during the same period as  
3 the pilot project;

4 (d) Compare the budgetary activity of the commission during the  
5 pilot project to the budgetary activity of the commission prior to the  
6 pilot project and to the budgetary activity of other disciplining  
7 authorities during the same period as the pilot project;

8 (e) Evaluate the commission's ability to meet the key performance  
9 measures identified in subsection (2)(f) of this section in comparison  
10 to other disciplining authorities; and

11 (f) Review summaries of national research and data regarding  
12 regulatory effectiveness and patient safety.

13 **Sec. 2.** RCW 18.71.0191 and 1994 sp.s. c 9 s 326 are each amended  
14 to read as follows:

15 Except as provided in section 1 of this act for the duration of the  
16 pilot project, the secretary of the department of health shall appoint,  
17 from a list of three names supplied by the commission, an executive  
18 director who shall act to carry out the provisions of this chapter.  
19 The secretary shall also employ such additional staff including  
20 administrative assistants, investigators, and clerical staff as are  
21 required to enable the commission to accomplish its duties and  
22 responsibilities. The executive director is exempt from the provisions  
23 of the civil service law, chapter 41.06 RCW, as now or hereafter  
24 amended.

25 **Sec. 3.** RCW 43.70.240 and 1998 c 245 s 73 are each amended to read  
26 as follows:

27 The secretary and each of the professional licensing and  
28 disciplinary boards or commissions under the administration of the  
29 department shall enter into written operating agreements on  
30 administrative procedures with input from the regulated profession and  
31 the public. The intent of these agreements is to provide a process for  
32 the department to consult each board or commission on administrative  
33 matters and to ensure that the administration and staff functions  
34 effectively enable each board or commission to fulfill its statutory  
35 responsibilities. The agreements shall include, but not be limited to,  
36 the following provisions:

1 (1) Administrative activities supporting the board's policies,  
2 goals, and objectives;

3 (2) Development and review of the agency budget as it relates to  
4 the board; (~~and~~)

5 (3) Board related personnel issues; and

6 (4) Other issues as provided in section 1 of this act, pertaining  
7 to the medical quality assurance commission pilot project for the  
8 duration of that project.

9 The agreements shall be reviewed and revised in like manner if  
10 appropriate at the beginning of each fiscal year, and at other times  
11 upon written request by the secretary or the board.

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